

CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, September 12, 2023

1. Call to Order

The Regular Meeting of City Council was called to order by Mayor Kochuba at 7:00 P.M.

2. Roll Call

The following members of Council and Council's staff were present for roll call by the Clerk:

Present: Councilman Kenneth B. Frenier
Councilwoman Elizabeth G. Luck
Councilman John E. Piotrowski
Councilwoman Dr. Laura F. Poe
Vice-Mayor Robert W. Wade
Mayor T. Gregory Kochuba

Absent: Councilman John T. Wood

Also Present: Mr. Douglas E. Smith, City Manager
Mr. Hugh P. Fisher, III, City Attorney
Mrs. Pamela B. Wallace, Clerk

3. Devotion

A devotional prayer was led by the Honorable Robert W. Wade.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kochuba.

5. Adoption of Agenda

A motion was made by Vice-Mayor Wade, seconded by Dr. Poe, to approve the agenda as presented.

Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe
Wade

Regular Meeting Minutes

September 12, 2023

Page 2

No: Kochuba
Absent: None
Abstained: Wood
None

Motion: UNANIMOUS PASS

6. Declarations of Personal Interest

A declaration was read by Dr. Poe then filed with the Clerk.

Before continuing, Mayor Kochuba recognized Mrs. Angie Woody, Vice-Chair, Colonial Heights School Board.

7. Commendations and Presentations

There were none.

8. Reading of Manner of Addressing Council.

Mr. Fisher read the Manner of Addressing Council.

9. Written Petitions and Communications

There were none.

10. Advertised Public Hearing

There were none.

11. Hearing of Citizens Generally on Non-Agenda Items

There were none.

12. Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda

- A. AN ORDINANCE NO 23-17**
(Second Reading) Amending § 273-37 of Chapter 273, Vehicles and Traffic, of the Colonial Heights City Code by authorizing the Chief of the Department of Fire and EMS, or his designee, to issue a citation for the illegal parking of a motor vehicle in a fire lane; and to increase the penalty from \$20 to \$50 for numerous parking violations.

Regular Meeting Minutes

September 12, 2023

Page 3

- B. AN ORDINANCE NO 23-FIN-2
(Second Reading) To amend the general fund budget for the fiscal year beginning July 1, 2023, and ending June 30, 2024, by appropriating \$27,224, consisting of: 1) \$1500 to the Police Department from the American Legion; 2) \$12,500 in grant funds to the police department from HEAT (Help Eliminate Auto Theft); 3) \$16,00 to the Police Department and state asset forfeiture funds; 4) \$8,000 to the Library from the Library Donation Fund balance; 5) \$1,381 to the Office on Youth from carryover Shoe Fund balance; 6) \$641 to the Office on Youth from lemonade stand donations; 7) \$1,602.00 to the Office on Youth from FY23 carryover Youth Advisory Council funds along with a transfer of \$2,250 from the Contribution and Subsidies budget.**

- C. March 14th 2023 Regular Meeting Minutes**

- D. August 8, 2023 Special Meeting Minutes**

- E. August 8, 2023 Regular Meeting Minutes**

A motion was made by Mrs. Luck, seconded by Dr. Poe, to approve the Consent Agenda as presented.

Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe
Wade
Kochuba
No: None
Absent: Wood
Abstained: None

Motion: UNANIMOUS PASS

13. Introduction and Consideration of Ordinances and Resolutions

- A. AN ORDINANCE NO 23-FIN-14
(First Reading) To amend the general fund budget for the fiscal year beginning July 1, 2023 and ending June 30, 2024, by appropriating \$600 from a donation made to the Office on Youth from the Knights of Columbus.**

Regular Meeting Minutes

September 12, 2023

Page 4

To amend the Capital Projects Fund budget for the fiscal year beginning of July 1, 2023 and ending June 30, 2024, by appropriating \$502,567 from federal highway construction funds to the Route One Resurfacing Project.

A motion was made by Vice-Mayor Wade, seconded by Mrs. Luck, to approve Ordinance No. 23-FIN-14.

Mr. Smith provided brief comments of the appropriations listed in the proposed ordinance.

Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe
Wade
Kochuba
No: None
Absent: Wood
Abstained: None

Motion: UNANIMOUS PASS

B. A RESOLUTION NO 23-32
(First Reading) Approving a Sewer and Water Connection Agreement whereby the City will furnish a supply of public water and provide public sewer service for a residence in Chesterfield County; and authorizing the City Manager to execute the Agreement.

A motion was made by Dr. Poe, seconded by Mrs. Luck, to adopt Resolution No. 23-32.

Mr. Smith provided additional comments relative to the agreement between the City and the request from the Hines family to provide they requested service connections. Mr. Smith advised Chesterfield County was also in agreement with the request.

Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe

Regular Meeting Minutes

September 12, 2023

Page 5

Wade
Kochuba
No: None
Absent: Wood
Abstained: None

Motion: UNANIMOUS PASS

C. A RESOLUTION NO 23-33
Amending the Policy of the Colonial Heights City Council for
Participation in Meetings by Electronic Communication.

A motion was made by Mr. Piotrowski, seconded by Mrs. Luck, to adopt
Resolution No. 23-33.

Providing comments relative to the changes by the state legislature regarding
the participation policy, Mr. Fisher reported that the substance of the Code
section had not changed; however, the legislature renumbered the relevant
section. Additionally, the Code section allows for missing a meeting for a
personal matter twice in a calendar year or up to 25% of the public body's
meetings in a calendar year, or whichever is greater.

There being no discussion, Mayor Kochuba called for the vote.

Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe
Wade
Kochuba
No: None
Absent: Wood
Abstained: None

Motion: UNANIMOUS PASS

D. A RESOLUTION NO 23-35
Authorizing the City Manager to execute the First Amendment
to Service Agreement among South Central Wastewater
Authority, Dinwiddie County Water Authority, and
Incorporating Subdivisions.

A motion was made by Dr. Poe, seconded by Mr. Frenier, to adopt Resolution No. 23-35.

Mr. Smith advised this was a unique action and recalled Council's approval of Resolution No. 01-27, authorizing the City Manager at that time, to enter into the First Amendment to Service Agreement Among South Center Wastewater Authority (SCWWA), Dinwiddie County Water Authority, and the Incorporating Subdivisions.

The Amendment related to the allocation of capacity of SCWWA's facilities among the incorporating subdivisions after the rated capacity was increased from 20 million gallons per day to 23 million gallons per day. While each of the SCWWA entities approved the amendment in 2001, the Authority has been unable to located an executed copy of the amendment from that time. SCWWA's Executive Director Robert Wilson has requested that each of the incorporating subdivisions and the Dinwiddie County Water Authority execute the First Amendment to the Service Agreement. Mr. Smith advised that Council's approval would allow him to execute the First Amendment as outlined in the resolution.

There being no additional discussion, Mayor Kochuba called for the vote.

**Vote: 6-0
Yes: Frenier
Luck
Piotrowski
Poe
Wade
Kochuba
No: None
Absent: Wood
Abstained: None**

Motion: UNANIMOUS PASS

14. Unfinished Business, Contested Ordinances and Resolutions, And Items Removed from the Consent Agenda.

There was none.

15. Reports of Officers and Documents Related Thereto.

A. City Manager

1. Short-Term Rental Ordinance Update

Mr. Smith recalled Council's previous discussion of the short-term rental ordinance further advising of the process to move forward for approval of the ordinance. Before moving forward, Mayor Kochuba advised that Council was taking such action to develop an ordinance; further advising that the General Assembly was developing legislation, and once that legislation was passed, localities which had not implemented their own guidelines, would be subject to those guidelines set forth by the State.

At this time, Mr. Carter, Planning Director, provided information relative to Council's prior discussion and guidelines the wished to be in the proposed ordinance. Those guidelines included, but were not limited to the following:

- Definition of short-term rental**
- Maximum number of days of a continued rental**
- Number of occupants**
- Penalty for non-compliance**
- Required permits – annual permit with fees**

Mr. Carter addressed Council's questions relative to specific item in the proposed ordinance with particular interest in the minimum age requirement. After much discussion, it was the recommendation of staff to limit the age to 18 years old and it would be up to the homeowner to set forth any additional age-restrictive guidelines.

2. General Activity Report

Mr. Smith provided the dates of interest; specifically noting it was the consensus of Council that there would be no November work session. Mr. Smith continued with the upcoming holiday schedule beginning with the Fall-Oween Festival and ending with the 70th Annual Christmas Parade.

Mr. Smith advised of the resignation of Ms. Lysa Rhodes, Finance Director, thanking her for her service to the City and wishing her well in her future endeavors. Continuing, Mr. Smith advised he has contracted with the Berkley Group to fill the Finance Director position until a permanent selection has been made.

B. City Attorney

Mr. Fisher provided Council with Federal and State required mandates set forth in the City Code floodplain provisions. Additionally, Mr. Fisher recalled Mr. Smith's presentation of a resolution to approve an incentive

package for Shamin Hotels; further advising that the Economic Development Authority was presented with and passed a resolution for the incentive package.

C. Director of Planning and Community Development

Mr. Carter provided Council with an update on the September 6, 2023 Planning Commission meeting to review the request to amend the City's Comprehensive Plan for 105 Norfolk Avenue, from Low Density Single-Family designation to Community Commercial designation, and the request to amend the City's Zoning Map for the same parcel, from RL zoning district to BB zoning district. Mr. Carter advised the Planning Commission held a public hearing for both applications, with approximately nine residents speaking against the application. The Planning Commission voted to deny both resolutions.

16. Adjournment

There being no further business, a motion was made by Vice-Mayor Wade, seconded by Dr. Poe, and carried unanimously on voice vote to adjourn the meeting. The meeting was adjourned at 8:07 P.M.

APPROVED:

T. Gregory Kochuba, Mayor

ATTEST:

Pamela B. Wallace, City Clerk